THE HON'BLE SRI JUSTICE A.GOPAL REDDY

AND

THE HON'BLE SRI JUSTICE P.SWAROOP REDDY

WRIT PETITION No.8533 of 2007

Dated: 05.11.2007

Between:

Smt.B.Saritha Bai

... PETITIONER

AND

1. The Station House Officer,
   Huzurnagar Police Station,
   Huzurnagar, Nalgonda District and six others.

...RESPONDENTS

THE HON'BLE SRI JUSTICE A.GOPAL REDDY

AND

THE HON'BLE SRI JUSTICE P.SWAROOP REDDY

WRIT PETITION No.8533 of 2007

ORDER: (*Per the Hon'ble Sri Justice P.Swaroop Reddy*)

This writ petition is taken up on the basis of the complaint of one Saritha alleging that her husband namely Hemla Naik was kidnapped by Janaki Ramaiah and 13 others. It is stated that though she has given a complaint to the police on 01.03.2006, the police are not properly investigating into the matter and her husband is not traced. She has given the names of 14 persons as the suspects. According to her, those people might have kidnapped and killed her husband, as earlier they threatened to kill her husband.

The counter-affidavit filed on behalf of the first respondent shows that they have started investigation into the case by searching for the missing person in various places; that all the suspects were interrogated, but no information could be gathered; and that the main suspect Shankarashetti Janaki Ramaiah was thoroughly interrogated. According to the said Janaki Ramaiah, five years earlier to the incident, the missing person took away his auto without his permission, for which he scolded that missing person. Keeping the same in mind, the missing person insulted him in the public, brought some dalam members and got beaten up him. It is also stated that the husband of the petitioner was an active member of Maoists of Dachepalli Dalam of Guntur District; that a final report was filed as he was not traced and that investigation is still pending for tracing him.

The learned Government Pleader also expressed doubt that the

missing person is a Maoist and that he might have gone underground.

This is a case where the police have made all efforts to locate the missing person by examining all concerned persons and giving due publicity etc. An additional counter-affidavit is also filed by the police detailing the efforts made by them to trace out the missing person.

Thus, *prima facie,* there is no material to show that the missing person was abducted by any one.

In the circumstances, the writ petition is closed. However, the police shall keep the crime pending and file a final report before appropriate Court after completing the investigation.

_____

A.GOPAL REDDY, J

_____

P.SWAROOP REDDY, J

Date: 05.11.2007

va